

Although we reached agreement with both OMB and CSC to exempt the Agency from the Administration-backed CIVIL SERVICE REFORM BILL, our post-introduction review indicates that the hastily-drafted bill falls short of exempting the CIA and other intelligence agencies from all of its provisions. While OMB and CSC assure us that the drafters fully intended to exempt intelligence agencies, we are drafting amendatory language that would remove any doubt arising from inartful draftsmanship. We anticipate meeting with OMB and CSC before hearings begin, a process that could start very shortly (the legislative process on this complex bill is expected to be extremely long). The Administration's less-sweeping civil service REORGANIZATION PLAN is to be introduced shortly; as drafted, it presents no serious problems.

The first round of Senator Biden's SECRECY AND PROSECUTIONS hearings ended last week. The final witness, Morton Halperin, supported much of what attorney Philip Lacovara had stated in his testimony the previous week. Both witnesses, and others who touched on this also, conceded that, although there was a need for carefully-drawn legislation to protect intelligence information, in their view other important steps could and should be taken, including: revision of the Federal evidentiary rules in recognition of the need for special handling of intelligence information; separate treatment and criteria for use of intelligence information in civil as opposed to criminal proceedings; requiring defendants and Federal prosecutors to come forward at the pre-trial stage of a criminal prosecution to resolve all actual and reasonably anticipated intelligence information problems in an in camera proceeding; and recognizing that "traditional espionage" and "leak" cases present different problems in terms of procedures and treatment of classified information. We will be reviewing the entire record of these hearings in light of our own efforts to tackle the problem of PROTECTING SOURCES AND METHODS.

With the Senate preoccupied with the Panama Canal treaty debate, there was little new action in Congress last week affecting current legislation of concern to the CIA and the DCI. We are preparing a report on Senator Kennedy's new bill on HUMAN EXPERIMENTATION. A status report is included in the LEGISLATION CHECKLIST. Included also are short items on other legislation of interest.

The SSCI has not yet decided on a tentative schedule for hearings on the CHARTER LEGISLATION. We are continuing to develop and coordinate Agency positions on provisions in various titles of the legislation (S. 2525/H.R. 11235).

David D. Newsom, currently ambassador to the Philippines, officials said.

Habib, 59, suffered a cardiac arrest last December. Known as a tireless, intense worker, Habib was told by his physician that he could not resume a high-pressure job at the present time. Unofficial reports said he is to be named diplomat-in-residence at Stanford University.

A native of Brooklyn and a devotee of blunt language and tough bargaining, Habib had long experience in Asia with service as chief political officer in Seoul and Saigon, political adviser to the Paris peace talks and assistant secretary of state for East Asian and Pacific affairs.

He became under secretary of state in July 1976 during the tenure of Henry A. Kissinger at the State Department and was kept on at the job as a key adviser by Cyrus R. Vance.

Newsom, 60, has a quieter, more typically diplomatic style. Most of his 31-year career as a diplomat has been centered on Africa and the Middle East, but since 1974 he has served as ambassador to Indonesia and then to the Philippines. Earlier, he was officer in charge of Arab Peninsula affairs, director of North African affairs, ambassador to Libya and assistant secretary of state for African affairs (1969-74).

After a recent trip to Washington, Newsom has returned to the Philippines to wind up his present job. He is expected to assume his new post in about a month.

EPA Planning Virtual Ban on Two Pesticides

Associated Press

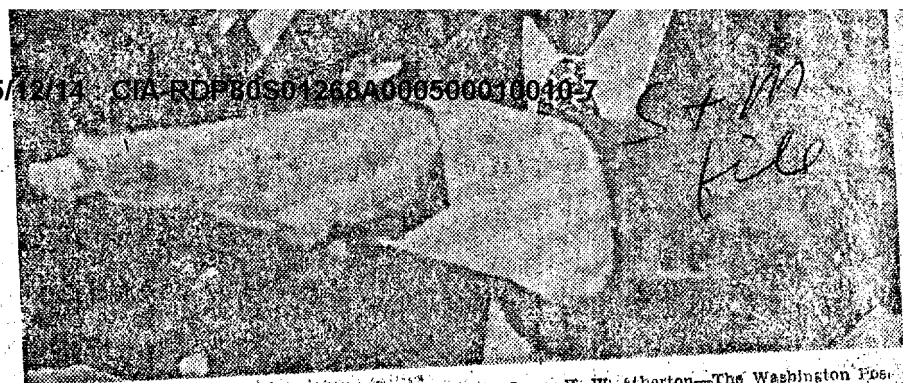
The Environmental Protection Agency announced yesterday that it virtually will ban the use of the pesticides chlordane and heptachlor by July 1, 1983.

The two pesticides have caused cancer in laboratory mice.

Most uses of the pesticides were stopped in late 1975, but some 7.2 million pounds of the two pesticides still are used, primarily for agricultural purposes.

Under the ban, which resulted from an agreement with the Environmental Defense Fund, the pesticide will be prohibited for use on corn after Aug. 1, 1980; citrus fruits on Dec. 31, 1979; pineapples on Dec. 31, 1982; sorghum seeds on July 1, 1983.

After July 1, 1983, the pesticides will be permitted to be used only for underground termite control, EPA said.



By James E. W. Atherton—The Washington Post

Habib testifying on the Hill: he has been known as a tireless, intense worker.

Colby Proposes Sharp Limits On the Prosecution of Leaks

Associated Press

Former CIA Director William Colby proposed yesterday sharp limits on the prosecution of government officials who leak classified information to the press.

Colby said criminal charges should be brought only if public disclosure of classified information clearly exposes and endangers sensitive intelligence sources or methods.

He said only those government officials who pledged not to reveal intelligence sources and methods should be prosecuted if they are known to be

the source when those kinds of secrets are made public.

Journalists and others who have not taken such a pledge should be exempt from prosecution and court subpoenas, Colby said.

He testified before a Senate intelligence subcommittee considering new legislation to protect government secrets.

After hearing Colby's testimony, the subcommittee chairman, Sen. Joseph Biden (D-DeL.) said, "You almost sound like a civil libertarian."

Now a partner in a Washington law firm, Colby left the Central Intelligence Agency in January 1976.

Corrections

A headline on a March 4 article incorrectly stated that the Department of Energy is refusing to disclose financial reports from the major energy companies. DOE has proposed withholding the reports, and is awaiting public comment before issuing a final decision on the matter.

An Associated Press article in

Saturday's Post incorrectly quoted the widow of slain opposition figure Pedro Joaquin Chamorro as saying Communists would seize control of Nicaragua if the Somoza government were overthrown. In fact, Mrs. Chamorro said she thought the United States feared the Communists would "fill the vacuum" if Somoza left the presidency.

Associated Press his candidacy.

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